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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.3134 OF 2005**
**IN**
**WEALTH TAX APPEAL (LOD) NO.1270 OF 2005**

The Commissioner of Wealth Tax ..Appellant.

V/s.

M/s.Ruchi Properties Ltd. ..Respondent.

Mr.P.S.Sahadevan for appellant.

Mr.J.D.Mistry with Raj Darak for respondent.

**CORAM : F.I.REBELLO AND**
**J.P.DEVADHAR, JJ.**

**DATED : 26TH SEPTEMBER, 2007.**

**P.C. :-**

. Though the matter was on board the number of the Wealth Tax Appeal(Lod) No. was wrongly shown. By consent of the parties, the matter is taken up for hearing on the Motion.

. There is delay of 267 days. The order oF the I.T.A.T. was received on 26/7/2004. The file was sent to the Ministry of Law on 31/12/2004. The draft appeal memo was received on 28/3/2005. The draft was sent to the Ministry of Law on 12/5/2005 and the appeal was filed on 16/10/2005. There is no explanation for the delay whatsoever between 12/5/2005 to 16/10/2005. Considering the above, the cause shown would not amount to sufficient cause. Hence Motion is dismissed.

**(J.P.DEVADHAR, J.)** **(F.I.REBELLO, J.)**